

Minutes

Clark County Rural Zoning Commission

Regular Meeting ~ 8:30 am.
Wednesday, June 10, 2015

Springview Government Center
3130 East Main Street
Springfield, Ohio 45505

Mr. Ken Brust, Chairperson of the Clark County Rural Zoning Commission of Clark County Ohio, calls the meeting to order at 8:30 am.

Present: Mr. Ken Brust, Mr. Wayne Leis, Mr. Pete Lane, Mr. John Hays and Mr. Bob Jurick

Absent: Mr. Jon Hostasa

Chairperson Brust explains how the meeting will be held.

Chairperson Brust asks if there are any comments regarding the minutes. Hearing none, he asks for a motion to approve the minutes.

RZC:5-13-2015: Minutes ~ May 13, 2015 ~ Regular Meeting

Motion by Mr. Lane, seconded by Mr. Hays, to approve the minutes as presented.

VOTE: Yes: Mr. Lane, Mr. Leis, Mr. Brust, Mr. Jurick and Mr. Hays

No: None

Motion carried unanimously.

Z-2015-06~ Rezoning ~ Property Owner: Phillip Crenshaw ~ Applicant: Shane Nugent ~ Agent: Doug Fannin ~ Location 208 Sycamore Street ~ 0.32 acres from R-2A to B-3'S'

Mr. Neimayer stated that the request is to rezone 0.32 acres from R-2A to B-3'S' for a collision center minor repair (an extension of the existing B-3'S' zoning at 204 Sycamore St.) Mr. Neimayer stated that the subject property, PID #010-05-00019-308-020, consists of 0.32 acres and is currently zoned R-2A (Medium Density Single-Family Residence District). In response to a zoning complaint, the Applicant received approval in July 2013 in rezoning the adjacent property at 204 Sycamore St. to B-3'S' to bring the existing collision center minor repair business that has been operating at that location for many years into the proper zoning district. The Applicant now has the opportunity to acquire the adjacent subject property at 208 Sycamore to be used in the same business.

Mr. Neimayer stated that the subject property has an existing building of approximately 22 ft. by 50 ft. that is located along the common lot line with 204 Sycamore St. – see aerial photo. That building is non-compliant in terms of setback requirements. Approving the rezoning request along with the Applicant combining both parcels would resolve that issue.

Mr. Neimayer presented the original zoning map for Bethel Township, November 3, 1964, shows the subject property was zoned R-2 (One Family Residence District). The current zoning of the property is R-2A (Medium Density Single-Family Residence District) in accordance with the 1984 County Zoning Regulations.

Staff recommends the Applicant's rezoning request be approved subject to the following: 1) the Applicant combines both parcels into one; and 2) the Applicant extends the existing privacy fencing around the business area.

Mr. Neimayer stated that he was not aware the land was being purchased under a Land Contract. Therefore, the two parcels cannot be combined until Mr. Nugent is the owner of the property.

The County Planning Commission (CPC) met on June 3, 2015 to review this rezoning case. Following discussion, the CPC passed a motion to recommend to the Rural Zoning Commission that the Applicant's request to rezone the subject 0.32 acres from R-2A to B-3'S' for a collision center minor repair (an extension of the existing B-3'S' zoning at 204 Sycamore St.) be approved subject to the following:

1. The Applicant extends the existing privacy fencing around the business area (i.e., screening between the business use and abutting residential uses), and
2. After the Applicant completes the land contract purchase of the subject property, the two parcels (204 & 208 Sycamore St.) are combined.

Mr. Neimayer stated that photos were presented to the Board to show that the property has been cleaned up and the trees have been removed.

Mr. Neimayer asked if there were any questions from the Board.

Mr. Jurick asked if the Land Contract falls through what would happen.

Mr. Neimayer stated that as far as the zoning it would still be in place. The only land use allowed is the extension of the auto repair business. If there was another use intended it would have to go through another rezoning process.

Mr. Doug Fannin, whose address is 205 W Main, Fairborn, Ohio, stated that the building that is on the new property is within 10 feet of his existing property and that is the reason that he would like to have it. Mr. Nugent plans to remove the garage doors on the front (street side) of the building and add garage doors on the south (right) side of the building for access. The rest of the property will remain unused at this time. The current privacy fence will be matched with the new privacy fence that has been recommended. The property to the rear is currently unoccupied due to foreclosure. Mr. Nugent would like to request an 8 foot fence in the rear so that no one can see over the fence and the reason for that is the elevation.

Mr. Shane Nugent, Applicant whose address is 204 Sycamore Street, Medway, Ohio, stated that the access will stay the same.

For the record, Mr. Neimayer stated that there was no one else in the audience to speak.

Chairperson Brust hearing no further questions asked for a motion.

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RZC: 5-14-2015: Z-2015-06: Rezoning ~ Property Owner: Philip Crenshaw ~ Applicant: Shane Nugent ~ Agent: Doug Fannin ~ Location 208 Sycamore Street ~ 0.32 acres from R-2A to B-3'S'

Motion by Mr. Lane, seconded by Mr. Jurick, to recommend **Approval** of rezoning case #Z-2015-06 from R-2A to B-3'S' as presented.

VOTE: Yes: Mr. Lane, Mr. Jurick, Mr. Leis and Mr. Hays

No: None

Motion carried unanimously.

Staff Comments

Mr. Neimayer states the next scheduled meeting is Wednesday, July 8, 2015.

Adjournment

RZC: 5-15-2015: Adjournment

Motion by Mr. Hays, seconded by Mr. Leis, to adjourn.

VOTE: Motion carried unanimously

The meeting was adjourned at 8:50 am.

Mr. Ken Brust, Chairperson

Mr. Thomas A. Hale, Secretary